UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA BEAUFORT DIVISION

Sammie Dewitt, #286209

Petitioner,

SUMMARY JUDGMENT IN A CIVIL CASE

VS.

Case Number: 9:06-1221-PMD-GCK

Warden, Lieber Correctional Institution; and Henry D. McMaster, Attorney General of the State of South Carolina,

Respondents.

Decision on the Record. This action came before the court on the record, Honorable Patrick Michael Duffy, U.S. District Judge, presiding. The issues have been reviewed and a decision rendered. The Court having adopted the Report and Recommendations of Magistrate Judge George C. Kosko,

IT IS ORDERED AND ADJUDGED that Summary Judgment is granted as to the Respondents, the Petitioner shall take nothing on his Petition filed pursuant to 28 U.S.C.§2254, and this matter is ended.

LARRY W. PROPES, Clerk

By s/Susan K. Sanders

Deputy Clerk

November 22, 2006